

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LORRAINE A. GITTENS-BRIDGES,

Plaintiff,

-against-

THE CITY OF NEW YORK; GARLAND
BARRETO; AUDWIN PEMBERTON;
NADENE PINNOCK; DINA SIMON;
and CLAUDETTE WYNTER, in their
individual capacities and as aiders and
abettors,

Defendants.

ORDER

19 Civ. 272 (ER)

RAMOS, D.J.

On January 10, 2019, Plaintiff, Ms. Gittens-Bridges, initiated this action against her employer, the City of New York (“City”) and her supervisors at the New York City Department of Correction (“DOC”), alleging age discrimination, cronyism, and retaliation in the workplace. Doc. 1.

On October 12, 2020, Defendants filed a motion for summary judgment. Doc. 143. Plaintiff’s opposition to the motion was originally due approximately eight months ago, on December 11, 2020. Doc. 141. Since then, the Court has granted Plaintiff nine extensions of time to file her opposition, including staying the case for 60 days, at Plaintiff’s counsel’s request, due to her medical and personal issues. Docs. 154, 156, 162, 164, 166, 169, 172, 175, 180. To date, Plaintiff’s counsel has submitted only one letter from a medical provider, via e-mail on July 6, 2021, concerning a medical condition unrelated to the underlying medical condition that she has asserted occasioned the need for these extensions. According to the last extension granted by

the Court, Plaintiff's opposition was due August 24, 2021. Doc. 180.

Plaintiff's counsel did not submit Plaintiff's opposition by the adjourn date and did not request a further extension. On August 25, 2021, Plaintiff submitted an 89-page counter statement to Defendants' 56.1 statement, Doc. 181, but did not submit a memorandum of law or supporting documents. On August 26, 2021, Defendants requested a 30-day extension to file their reply. Doc. 182. In response, Plaintiff's counsel explained that the counter statement submitted was in fact a "draft" of Plaintiff's counter statement and that she was still finalizing Plaintiff's complete submission in opposition. Doc. 183. Plaintiff's counsel states that she will be able to submit Plaintiff's complete opposition by Monday, August 30, 2021, *id.*, but to date counsel has consistently failed to comply even with the deadlines that she herself has requested to file responsive papers. *See* Doc. 161 (requesting June 1, 2021 deadline); Doc. 163 (requesting June 15, 2021 deadline); Doc. 165 (requesting June 21, 2021 deadline); Doc. 172 (amended briefing schedule issued based on counsel's request for July 12, 2021 deadline); Doc. 175 (amended briefing schedule issued based on counsel's request for July 16, 2021 deadline); Doc. 180 (amended briefing scheduled issued based on counsel's request for August 24, 2021 deadline).

The Court therefore STAYS this action *sua sponte* for eight weeks, until October 22, 2021. By October 22, 2021, counsel is directed to either (1) submit a response to Defendants' motion for summary judgment that adheres to this Court's page limits, or (2) if unable to submit a response, indicate whether Plaintiff will proceed *pro se* or retain substitute counsel. In the event that counsel informs the Court that she will continue to represent Ms. Gittens-Bridges and counsel does not submit Plaintiff's final opposition by October 22, 2021, the Defendants' motion for summary judgment will be deemed unopposed. Furthermore, by that date Ms. Gittens-

Bridges will be required to submit an affidavit that she wishes to continue to be represented by current counsel and that she understands that Defendant's motion for summary judgment will be deemed unopposed.

Plaintiff's counsel is directed to provide a copy of this Order to Ms. Gittens-Bridges, and to submit an affirmation that she has done so by Wednesday, September 1, 2021.

It is SO ORDERED.

Dated: August 27, 2021
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is written above a horizontal line.

Edgardo Ramos, U.S.D.J.